
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**
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MATTHEW DULAK :

I, Lucille M. Pezzullo, being duly sworn, state the following is true and correct to the best of my knowledge and belief. In or about January 2006, in Burlington County, in the District of New Jersey, and elsewhere, defendant MATTHEW DULAK did:

did knowingly and willfully receive material containing images of child pornography, as defined in 18 U.S.C. § 2256(8)(A), which images had been shipped and transported in interstate and foreign commerce by any means, including by computer,
in violation of Title 18, United States Code, Section 2252A(a)(2)(B) and 2.

I further state that I am a Special Agent for United States Immigration and Customs Enforcement, and that this complaint is based on the following facts:

SEE ATTACHMENT A

continued on the attached page and made a part hereof.

Sworn to before me and subscribed in my presence,
October 17, 2006 at Newark, New Jersey

HONORABLE MADELINE COX ARLEO
UNITED STATES MAGISTRATE JUDGE

Lucille M. Pezzullo, Special Agent
Department of Homeland Security
Immigration and Customs Enforcement

Signature of Judicial Officer

ATTACHMENT A

I, Lucille M. Pezzullo, a Special Agent with United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), having conducted an investigation and discussed this matter with other law enforcement officers who have participated in this investigation, have knowledge of the following facts:

1. On or about February 1, 2006 and March 2, 2006, law enforcement officers conducted a court-authorized search of computer servers located at an Internet Service Provider in Virginia. The search of these servers revealed the presence of thousands of images and videos of child pornography. In addition, the search revealed records of Internet Protocol and associated e-mail addresses which had accessed these images and videos.

2. The search revealed that an individual controlling the e-mail address "fc3s-ninja@hotmail.com" had accessed numerous images of child pornography from the Internet Protocol address 151.204.26.135. Three of the images accessed by the individual controlling the e-mail address "fc3s-ninja@hotmail.com" from the Internet Protocol address 151.204.26.135 are described as follows:

- a. **Image Number One:** This depicts, which was accessed by fc3s-ninja@hotmail.com on or about January 26, 2006, depicts a prepubescent female engaged in sexual conduct with an adult male. The female, who is visible from her waist to her knees, is wearing a white t-shirt and white with pink elastic underwear featuring multi-colored images of cartoon characters. The prepubescent female is lying on her back on a multi-colored surface. Her legs are parted, and the adult male is pulling the underwear of the prepubescent female to the left using his middle finger, exposing her genital area. The adult male appears to be kneeling over the prepubescent female, and his right leg, left hand, and erect penis are visible. The male appears to be fully nude.
- b. **Image Number Two:** This image, which was accessed by fc3s-ninja@hotmail.com on or about January 26, 2006, depicts a prepubescent female engaged in the lascivious display of the genital and pubic area. The female is fully visible and wearing a blue denim dress and a blue-and-white striped top. The female's underwear, which depicts characters from the cartoon film "The Lion King," is visible around her ankles. The female is lying on her back on a multi-colored surface. Her legs are bent up at the hips and extended over her head and slightly parted, exposing her genital and pubic area. Her right hand is placed on the back of her right knee and her left hand is placed on the back of her left calf.

- c. **Image Number Three:** This image, which was accessed by fc3s-ninja@hotmail.com on or about January 26, 2006, depicts a prepubescent female engaged in the lascivious display of the genital and pubic area. The female is fully nude and fully visible. The female is lying on her back on a multi-colored surface and her left side is leaning against a white-colored wall. The legs of the female are bent at the knees and parted, exposing her genital area. The female's right arm is extended parallel to her body and above her head, and her head is tilted to the side and resting on her right arm. The undeveloped breasts of the female are exposed.

3. On or about April 12, 2006, representatives of MSH Hotmail informed law enforcement agents that the e-mail address "fc3s-ninja@hotmail.com" is subscribed to by defendant DULAK at 1 Wescott Road, Mount Laurel, New Jersey, the residence of defendant DULAK.

4. On or about April 21, 2006, representatives of Verizon informed law enforcement agents that the Internet Protocol address 151.204.26.135 is located at 1 Wescott Road, Mount Laurel, New Jersey, the residence of defendant DULAK.

5. On or about July 18, 2006, law enforcement agents interviewed defendant DUALK who stated, in substance and in part, that a) he had purchased and downloaded images and videos of child pornography from the Internet using his computer; b) that he believed that the images of child pornography he had viewed depicted actual children; c) he had viewed child pornography for approximately five years; d) he searched the Internet using search terms such as "CP" and "lolita"; and e) that he knew what he was doing was illegal and wrong.

6. Based upon my training and experience, and to the best of my knowledge, the images described in paragraphs 2a through 2c above, were received via the Internet by defendant DULAK, based upon, among other things, defendant DULAK's own statements.